

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 4:07 CR 484 - 01
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
DEMOND D. ANDERSON,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT AND</u>
)	<u>REFERRAL TO U. S. PROBATION</u>
Defendant)	<u>OFFICE</u>

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Nancy A. Vecchiarelli, regarding the change of plea hearing of Demond D. Anderson, which was referred to the Magistrate Judge with the consent of the parties.

On January 2, 2008, the government filed a two count superseding indictment against Defendant Demond D. Anderson, for Armed Bank Robbery as defined in Title 18, United States Code, Section 2113(a) and (d); and Brandishing a Firearm During a Crime of Violence as defined in Title 18, United States Code, Section 924(c)(1)(A).

On February 21, 2008, a hearing was held in which Defendant Anderson, entered a plea of not guilty before Magistrate Nancy A. Vecchiarelli. On April 11, 2008, Magistrate Judge Nancy A. Vecchiarelli received Defendant Anderson's plea of guilty to counts 1, and 2, of the

superseding indictment and issued a Report and Recommendation (“R&R”) concerning whether the plea should be accepted and a finding of guilty entered. Magistrate Judge Vecchiarelli filed her R&R on April 11, 2008.

Neither party submitted objections to the Magistrate Judge’s R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge’s R&R is adopted. Defendant Anderson is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Anderson is adjudged guilty of Count One in violation of Title 18 Section 2113 (a) and (d) and Count Two in violation of Title 18 Section 924(c)(1)(A) . This matter is referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on July 8, 2008, at 11:00 a.m. in Courtroom 17-A.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE